

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL E. JACQUES,
Plaintiff,

v.

R. QUICK, et al.,
Defendants.

No. 2:22-cv-00811-TLN-CKD

ORDER

Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On December 7, 2022, the magistrate judge filed findings and recommendations herein which were served on Plaintiff and which contained notice to Plaintiff that any objections to the findings and recommendations were to be filed within fourteen days. (ECF No. 11.) Plaintiff has not filed objections to the findings and recommendations.

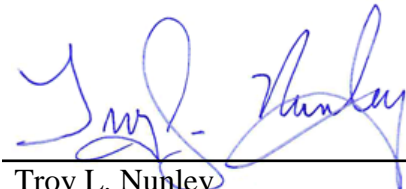
The Court presumes that any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo. *See Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983). Having reviewed the file, the Court finds the findings and recommendations to be supported by the record and by the magistrate judge's analysis.

Accordingly, IT IS HEREBY ORDERED that:

1. The Findings and Recommendations filed December 7, 2022, (ECF No. 11). are adopted in full.

2. All claims other than (1) claims against Defendant Quick for excessive use of force in violation of the Eighth Amendment, denial of medical care in violation of the Eighth Amendment and denial of equal protection of the laws in violation of the Fourteenth Amendment; and (2) claims against Defendant Bordewick for failing to intervene as to Defendant Quick's excessive use of force in violation of the Eighth Amendment and denial of medical care in violation of the Eighth Amendment are DISMISSED.

DATED: February 7, 2023



Troy L. Nunley
United States District Judge